

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

TONEY L. OVERSTREET, )  
                          )  
Plaintiff,             )  
                          )  
v.                      ) Civil Action No. 7:16-cv-00585  
                          )  
NANCY A. BERRYHILL, Acting )  
Commissioner of Social Security, )  
                          )  
Defendant.             )

**ORDER**

For the reasons set forth in the accompanying memorandum opinion entered this day, it is hereby ORDERED that:

1. The January 3, 2018 report and recommendation (Dkt. No. 23) is ADOPTED;
2. The plaintiff's motion for summary judgment (Dkt. No. 14) is DENIED;
3. The commissioner's motion for summary judgment (Dkt. No. 18) is GRANTED;
4. The commissioner's decision is AFFIRMED; and
5. This matter is STRUCK from the active docket of the court.

The clerk is directed to send a copy of the memorandum opinion and this order to all counsel of record.

Entered: March 16, 2018.

*/s/ Elizabeth K. Dillon*

Elizabeth K. Dillon  
United States District Judge